



Order Filed on September 21, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

MCC4795
MARC C. CAPONE, ESQ.
CAPONE & KEEFE, P.C.
60 HIGHWAY 71, UNIT 2
SPRING LAKE HEIGHTS, NJ 07762
(732) 528-1166
ATTORNEYS FOR DEBTOR

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

IN RE:

Chapter 13

Robert & Deborah Fassi

Case No.: 14-35893 (KCF)

ORDER APPROVING POST-PETITION FINANCING

The relief set forth on the following pages, numbered two (2) through four (4) is hereby ORDERED.

DATED: September 21, 2017


Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

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Debtor(s): Robert & Deborah Fassi
Case No.: **14-35893 (KCF)**
Caption of Order: **Order Approving Post-Petition Financing**

THIS MATTER having come before the Court on the debtor's Motion to Approve Post-Petition Financing, and the Court having considered the debtors' motion and any opposition thereto, and good and sufficient cause appearing there from for the entry of this order, it is hereby

ORDERED that the debtor(s) be and hereby are allowed to modify the mortgage on real property located at 4 Spruce Way, Manalapan, New Jersey pursuant to the terms outlined in the debtors' certification in support of the refinancing motion; and it is further

ORDERED that from the funds received in connection with the loan modification, all liens on the property shall be paid in full, at closing; and it is further

ORDERED that debtor(s) are authorized to pay the usual and necessary costs and expenses of settlement; and it is further

ORDERED that the debtor shall:

___ Satisfy all Plan obligation from financing proceeds

___ Continue to make payments under the Plan as proposed or confirmed

X Modify the Plan as follows:

Debtor's plan will be modified to remove the mortgage arrears that were being paid to Caliber Home Loans through their chapter 13 plan.

ORDERED that debtor's counsel shall be allowed a legal fee of \$_____ for representation in connection with this motion, which is to be paid (choose one):

___ at closing ___ through the plan ___ outside the plan;

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Debtor(s): Robert & Deborah Fassi

Case No.: **14-35893 (KCF)**

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and it is further

ORDERED that, if applicable, the chapter 13 trustee shall be provided with a copy of the HUD-1 settlement statement within seven (7) days of the closing of the refinance; and it is further

ORDERED that Fed. R. Bankr. P. 6004(h), which provides for a 14 day stay of this order,

___ is applicable X is not applicable

ORDERED that the following other provisions apply:

1. In the event a loan modification is completed and the pre-petition arrears are capitalized into the loan, Secured Creditor shall amend the arrearage portion of its Proof of Claim to zero or withdraw the claim within thirty (30) days of completion of the loan modification.
2. The Chapter 13 Trustee shall suspend disbursements to secured creditor pending completion of loan modification and all money that would otherwise be paid to secured creditor, be held until the arrearage portion of the claim is amended to zero or the claim is withdrawn, or the Trustee is notified by the secured creditor that the modification was not consummated.
3. In the event the modification is not consummated, the secured creditor shall notify the Trustee and debtor's attorney of same. Any money that was held by the Trustee pending completion of the modification shall then be paid to secured creditor.
4. In the event the Proof of Claim is amended to zero or withdrawn, the Trustee may disburse the funds being held pursuant to this order to other

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Debtor(s): Robert & Deborah Fassi

Case No.: **14-35893 (KCF)**

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creditors in accordance with the provisions of the confirmed plan.

5. Debtors shall file an amended Schedule J and Modified Plan within twenty (20) days of this Order.
6. With respect to any post-petition orders, claims for post-petition mortgage arrears, and orders for creditor's attorney's fee which are being capitalized into the loan, secured creditor will amend any and all post-petition orders or claims within 30 days after completion of the loan modification.

Certificate of Notice Page 5 of 5
United States Bankruptcy Court
District of New Jersey

In re:
Robert Fassi
Deborah Fassi
Debtors

Case No. 14-35893-KCF
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Sep 21, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 23, 2017.
db/jdb Robert Fassi, Deborah Fassi, 4 Spruce Way, Manalapan, NJ 07726-1820

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 23, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 21, 2017 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Albert Russo (NA) on behalf of Trustee Albert Russo docs@russotrustee.com
Andrew L. Spivack on behalf of Creditor CALIBER HOME LOANS, INC. nj.bkecf@fedphe.com
Andrew L. Spivack on behalf of Creditor CALIBER HOME LOANS, INC., F/K/A VERICREST FINANCIAL, INC. nj.bkecf@fedphe.com
Andrew L. Spivack on behalf of Creditor WELLS FARGO BANK, N.A. D/B/A AMERICAS SERVICING COMPANY AS SERVICER FOR U.S. Bank National Association, as Trustee for Adjustable Rate Mortgage Trust 20055, Adjustable Rate Mortgage Backed Pass Throug nj.bkecf@fedphe.com
Angela Catherine Pattison on behalf of Creditor HSBC Bank USA, National Association, As Trustee for GSAA Home Equity Trust 2005-6, Asset-Backed Certificates, Series 2005-6 angela.pattison@powerskirn.com, ecf@powerskirn.com
Denise E. Carlon on behalf of Creditor HSBC Bank USA, National Association, As Trustee for GSAA Home Equity Trust 2005-6, Asset-Backed Certificates, Series 2005-6 bankruptcynotice@zuckergoldberg.com, bkgroup@kmlawgroup.com
Jennifer R. Gorchow on behalf of Creditor CALIBER HOME LOANS, INC. nj.bkecf@fedphe.com
Loren Rosenberg Lightman on behalf of Creditor Beachway Townhouse Condominium Association llightman@hillwallack.com
Marc C. Capone on behalf of Debtor Robert Fassi mcapone@caponeandkeefe.com, docs@caponeandkeefe.com
Marc C. Capone on behalf of Joint Debtor Deborah Fassi mcapone@caponeandkeefe.com, docs@caponeandkeefe.com
Nicholas J. Purcell on behalf of Creditor Rushmore Loan Management Services LLC, as servicer for MTGLQ Investors, LP firm@martonelaw.com/ecf@leopoldassociates.com;mrozea@leopoldassociates.com
Nicholas J. Purcell on behalf of Creditor Rushmore Loan Management Services as Servicer for MTGLQ Investors, LP firm@martonelaw.com/ecf@leopoldassociates.com;mrozea@leopoldassociates.com
R. A. Lebron on behalf of Creditor CALIBER HOME LOANS, INC. bankruptcy@feinsuch.com
Robert P. Saltzman on behalf of Creditor Green Tree Servicing LLC dnj@pbslaw.org
William M.E. Powers, III on behalf of Creditor Green Tree Servicing LLC ecf@powerskirn.com
TOTAL: 16